



6351-01-P

## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities Under OMB Review

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (PRA), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected costs and burden.

**DATES:** Comments must be submitted on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Comments regarding the burden estimate or any other aspect of the information collection, including suggestions for reducing the burden, may be submitted directly to the Office of Information and Regulatory Affairs (OIA) in OMB within 30 days of this notice's publication by either of the following methods. Please identify the comments by "OMB Control No. 3038-0007."

- By email addressed to: *OIRAsubmissions@omb.eop.gov* or
- By mail addressed to: the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention Desk Officer for the Commodity Futures Trading Commission, 725 17th Street, NW., Washington DC 20503.

A copy of all comments submitted to OIRA should be sent to the Commodity Futures Trading Commission (the “Commission”) by either of the following methods. The copies should refer to “OMB Control No. 3038-0007.”

- Through the Commission’s Web site at <http://comments.cftc.gov/>. Follow the instructions for submitting comments through the Web site.
- By mail addressed to: Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581; or
- By Hand Delivery/Courier to the same address; or

Please submit your comments using only one method. All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to <http://www.cftc.gov>. You should submit only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission’s regulations.<sup>1</sup> The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from <http://www.cftc.gov> that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the ICR will be retained in the public comment file and will be considered as required

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<sup>1</sup> 17 CFR 145.9.

under the Administrative Procedure Act and other applicable laws, and may be accessible under the Freedom of Information Act.

A copy of the supporting statements for the collection of information discussed herein may be obtained by visiting <http://RegInfo.gov>.

**FOR FURTHER INFORMATION CONTACT:** Jacob Chachkin, Special Counsel, Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, (202) 418-5496; email: [jchachkin@cftc.gov](mailto:jchachkin@cftc.gov), and refer to OMB Control No. 3038-0007.

**SUPPLEMENTARY INFORMATION:**

*Title:* Regulation of Domestic Exchange-Traded Options (OMB Control No. 3038-0007). This is a request for extension of a currently approved information collection.

*Abstract:* The rules require futures commission merchants (FCMs) and introducing brokers (IBs): (1) to provide their customers with standard risk disclosure statements concerning the risk of trading commodity interests; and (2) to retain all promotional material and the source of authority for information contained therein. The purpose of these rules is to ensure that customers are advised of the risks of trading commodity interests and to avoid fraud and misrepresentation. This information collection contains the recordkeeping and reporting requirements needed to ensure regulatory compliance with Commission rules relating to this issue. The disclosure and recordkeeping requirements are necessary to monitor and to verify compliance by FCMs and IBs with their obligations concerning disclosure and promotional material.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. On June 7, 2018, the Commission published in the Federal Register notice of the proposed extension of this information collection and provided 60 days for public comment on the proposed extension, 83 FR 26437 (“60-Day Notice”). The Commission did not receive any comments on the 60-Day Notice.

*Burden Statement:* The Commission estimates the burden of this collection of information as follows:

| <b>Estimated Annual Reporting Burden</b>         |                                                                  |                                            |                               |                                                       |                                                                        |
|--------------------------------------------------|------------------------------------------------------------------|--------------------------------------------|-------------------------------|-------------------------------------------------------|------------------------------------------------------------------------|
| <b>Regulation</b>                                | <b>Estimated number of respondents or recordkeepers per year</b> | <b>Reports annually by each respondent</b> | <b>Total annual responses</b> | <b>Estimated average number of hours per response</b> | <b>Estimated total number of hours of annual burden in fiscal year</b> |
| <b><i>Reporting:</i></b>                         |                                                                  |                                            |                               |                                                       |                                                                        |
| 33.7—(Risk disclosure)                           | 1,272.00                                                         | 115.00                                     | 146,280.00                    | 0.08                                                  | 11,702.40                                                              |
|                                                  |                                                                  |                                            |                               |                                                       |                                                                        |
| <b><i>Recordkeeping:</i></b>                     |                                                                  |                                            |                               |                                                       |                                                                        |
| 33.8—(Retention of promotional material)         | 1,272.00                                                         | 1.00                                       | 1,272.00                      | 25.00                                                 | 31,800.00                                                              |
|                                                  |                                                                  |                                            |                               |                                                       |                                                                        |
| <b>Grand total (reporting and recordkeeping)</b> |                                                                  |                                            | <b>147,552.00</b>             |                                                       | <b>43,502.40</b>                                                       |

There are no capital costs or operating and maintenance costs associated with this collection.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dated: August 8, 2018

Christopher Kirkpatrick,  
*Secretary of the Commission.*

